

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NOTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

**IN RE:
DESDA DIANE DOTSON**

CASE NO. 12-10352 - RLJ -13

Hearing Date: 2/27/2013

DEBTOR(S)

Hearing Time: 11:00 AM

TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW WALTER O'CHESKEY, Standing Chapter 13 Trustee (hereinafter referred to as Trustee), and files this Objection to Confirmation in opposition to confirmation of Debtors' Chapter 13 Plan and Motion for Valuation filed herein by the above debtor(s), and would respectfully show the Bankruptcy court:

- 1 Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on 11/27/2012.
- 2 Debtor(s) are above median income per 11 U.S.C. Sec. 1325 (b)(4).
- 3 Trustee alleges the gross income in Schedule I for Ms. Dotson should be \$4,750.00 and payroll deductions should be \$882.00.
- 4 Trustee alleges the Schedule I for Ms.Dotson fails to include her \$1,442.00 social security income.
- 5 Trustee alleges the expenses in Schedule J are excessive in a less than 100% Plan. Trustee alleges the excessive expenses lower the available monthly disposable income at the expense of the unsecured creditor class.
- 6 Trustee is unable to verify all available monthly disposable income is being committed to the Plan and objects to confirmation in accordance with 11 U.S.C. 1325 (b)(1)(B).

WHEREFORE, the Trustee prays that the Bankruptcy Court deny Confirmation of the Debtor(s) Chapter 13 Plan and Motion for Valuation and for such other relief to which this bankruptcy estate may be justly entitled.

Date: 2/19/2013

Respectfully submitted,
/s/ Walter O'Cheskey
6308 Iola Avenue
Lubbock, TX 79424

I hereby certify that a true and correct copy of the foregoing Trustee's Objection to Confirmation was this date served on the following parties at the addresses listed below by electronic service or by U.S. First Class Mail:

Debtor(s) Attorney
MONTE J WHITE & ASSOCIATES PC
ATTORNEY AT LAW ABILENE
402 CYPRESS SUITE 310
ABILENE TX 79601-0000

Debtor(s)
DESDA DIANE DOTSON

1168 LARNED LANE

ABILENE TX 79602

Date: 2/19/2013

/s/ Walter O'Cheskey
Office of the Standing Trustee

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1168 LARNED LANE
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